

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

In re:)
)
Kimberly Harris,) Case # 16-07967
)
Debtors.) Adversary No.:

**COMPLAINT TO AVOID UNSECURED MORTGAGE
OF PARTNERS FOR PAYMENT RELIEF**

Comes now Debtor, Kimberly Harris, by counsel Richard P. Batesky, Jr.,
pursuant to 11 U.S.C 1322 (b), to avoid the lien of Partners for Payment Relief on the
following real property:

Glicks East 42nd St. Add Sec. 3 L157
Commonly known as: 9655 Pepperidge Dr., Indianapolis, IN 46235

1. That Debtor filed this case on October 17, 2016.
2. That the creditor obtained a judicial lien recorded in Marion County,
Indiana on July 13, 2016. Under Cause No. 49D01-1603-MF-009060 on
said real estate.
3. That the amount of creditor's lien is \$44,459.54.
4. That the amount of all other liens on the property belongs to Midfirst Bank
in the amount of \$61,500.00.
5. That the amount of impaired exemption is \$19,300.00.
6. That the value of real property on the date of filing is \$58,400.00.
7. The Debtor's interest in the property referred to in the preceding

paragraph and encumbered by the lien has been claimed as exempt in this bankruptcy
case. The existence of the lien impairs the exemptions to which the Debtor(s) would be
entitled under 11 U.S.C. 522(b).

WHEREFORE, the Debtor(s) move the Court to enter an Order avoiding the judicial lien and granting such other relief as may be appropriate.

/s/Richard P. Batesky, Jr.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been duly served on the following via certified mail this 27th day of April 2017:

Partners for Payment Relief, aka Ocwen Loan Servicing
c/o Corporation Service Company
251 e. Ohio St. #500
Indianapolis, IN 46204

I hereby certify that a copy of the foregoing has been duly served upon the following via US mail postage prepaid this 27th April 2017:

c/o Valerie Matheis, Attorney at Law
550 Congressional Blvd. #210
Carmel, IN 46032

US. Trustee
John Hauber, Trustee

/s/Richard P. Batesky, Jr.

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